

# **RESTRICTION ELECTION**

FACSIMILE TRANSMISSION

DATE *February 8, 2003*

FROM/ATTORNEY: DR. MISHRIWAL JAIN, Esq.

FIRM:

FAX

PAGES, INCLUDING COVERSHEET: *4*

PHONE NUMBER: *410-715-4514*

GROUP 1600

**FAX RECEIVED**

TO EXAMINER: *SUSAN UNGAR, Ph.D.*

*FEB 21 2003*

ART UNIT: *1642*

GROUP 1600

SERIAL NUMBER: *09/755,233*

**OFFICIAL**

FAX/TELECOPIER NUMBER: *(703) 308-4315*

PLEASE NOTE: THIS FACSIMILE NUMBER IS TO BE USED ONLY  
FOR RESPONSES TO RESTRICTIONS

COMMENTS:

*A phone call acknowledging receipt  
of the response shall be much appreciated.*

---

IF YOU HAVE NOT RECEIVED ALL THE PAGES OF THIS TRANSMISSION, PLEASE CONTACT  
THE ATTORNEY AT THE TELEPHONE NUMBER LISTED ABOVE.

2001 / Trad C / 115  
J 2.25.03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: NAIR, Padmanabhan, P.

Serial Number: 09/755,233

Art Unit: 1642

Filed: January 8, 2001

Examiner: UNGAR, Susan

For: Noninvasive Detection of Colorectal Cancer.....

**RESPONSE**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

Responsive to the Office action dated January 10, 2003 making a restriction requirement in the above-identified application, the applicant submits the following.

Claims 7-9, 22 and 26-28 are pending in the application. It is noted that claim 22 is a part of this divisional application as indicated in the response filed March 6, 2002. However, the present nor the previous Office action makes any mention of claim 22. Examiner's attention is respectfully drawn to claim 22.

Responsive to the instant restriction requirement, applicant amends independent main claim 7 as follows.

7 (twice amended). Immunocoprocytes isolated from fecal matter, said immunocoprocytes expressing immunoglobulins selected from the group consisting of IgA, IgC, CfC, and a combination thereof.

**REMARKS**

Claims 7-9, 22 and 26-28 are pending in the application. Reconsideration is respectfully requested.

A restriction requirement is made in the outstanding Office action. Main claim 7 has been amended and in light thereof, the outstanding restriction requirement is respectfully traversed. The Examiner has noted in the Office action that the pending claims included linking claims; however, upon allowance of linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claims will be entitled to examination in the instant application.

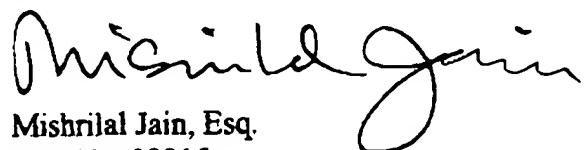
Although it is believed that in light of the main claim 7 having been amended, the instant restriction requirement is rendered inapplicable and the same is traversed herein, nevertheless, only to comply with the requirement made, applicant elects the invention of Group III, claims 7, 22 and 26-28 for examination.

It may be important to point out that it is not the immunoglobulins *per se*, (IgA, IgC, etc.), which are well known in scientific literature that constitute the invention herein, but their being found to be expressed in the cells isolated from fecal matter which is the new, novel and unexpected finding claimed herein.

A clean copy of the amended claim is submitted herewith.

In light of the above, early examination is earnestly solicited.

Respectfully submitted,



Mishrilal Jain, Esq.  
Reg. No. 29315

11620 Masters Run  
Ellicott City, MD. 21042-1537  
Tel: 410-715-4514

February 8, 2003